



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO
80204-2581

JAN 03 2005

Reply to
Attn of:

CACFP-745

Subject:

Questions and Answers from the Kansas City State Directors Reauthorization Briefing
Pertaining to the Child and Adult Care Food Program

To:

STATE AGENCY DIRECTORS - Colorado DPHE, Iowa, Kansas, Missouri DH,
(Special Nutrition Programs) Montana DPHHS, Nebraska, North Dakota,
South Dakota, Utah and Wyoming

Attached are responses to questions raised regarding the Child and Adult Care Food Program (CACFP) at the State Directors Reauthorization Briefing in Kansas City in September 2004. The attachment contains questions and responses that pertain to CACFP. You may use these responses as you move forward to implement the provisions of the new Law. However, please keep in mind that these answers may be modified as Regulations are published.

We expect that you have already received a copy of questions and answers from this meeting from our National Office on November 30, 2004.

If you have any questions, please contact my staff at (303) 844-0354.

Darlene Sanchez
DARLENE SANCHEZ
Regional Director
Special Nutrition Programs

Attachment

State Agency Reauthorization Briefing – Kansas City
Questions and Answers
Child and Adult Care Food Program

Direct Certification

1. **Can the direct certification letter for eligibility in the National School Lunch Program also be used as eligibility documentation for CACFP?**

Yes.

CACFP Overpayment Disregard

1. **If we do not have a written policy on disregard, can we make a disregard if different than \$600?**

If the State agency (SA) has not established an overpayment provision through State law, regulation, or procedure, the SA may disregard any overpayment to an institution for a fiscal year if the total overpayment does not exceed \$600. However, no overpayment shall be disregarded where there is evidence of violation of criminal law or civil fraud statutes. A SA may not establish a disregard which exceeds the current limit of \$600.

CACFP Emergency Shelters

1. **Can an emergency shelter count for meal service an 18 year-old teenager whose own children are also at the shelter?**

Yes, Public Law 108-265 allows emergency shelters to serve reimbursable meals to residents, birth through age 18, and to residents who have disabilities, regardless of their age. If the 18 year-old parent and her children are residents of the emergency shelter, the meals they are served may be claimed for reimbursement.

2. **Please define emergency shelter.**

Section 226.2 of the CACFP regulations defines an emergency shelter as “a public or private nonprofit organization whose primary purpose is to provide temporary shelter and food services to homeless families with children.”